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**UNITED STATES DISTRICT COURT**  
**WESTERN DISTRICT OF WASHINGTON**  
**AT SEATTLE**

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8 JORGE CERVANTES DIAZ,

NO. C09-1658-RSL

9 Petitioner,

10 v.

11 ORDER OF DISMISSAL

12 JANET NAPOLITANO, Secretary of the  
13 Department of Homeland Security, *et al.*,

14 Respondents.

15 The Court, having reviewed petitioner's Petition for Writ of Habeas Corpus, respondents'  
16 Return and Motion to Dismiss, the Report and Recommendation of the Honorable James P.  
17 Donohue, United States Magistrate Judge, and any objections or responses to that, and the  
18 remaining record, finds and Orders as follows:

19 1. The Court adopts the Report and Recommendation;

20 2. Respondents' motion to dismiss (Dkt. No. 11) is GRANTED, and this action is  
21 DISMISSED with prejudice; and

22 3. The Clerk shall send a copy of this Order to the parties and to Judge Donohue.

23 DATED this 8<sup>th</sup> day of April, 2010.

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Robert S. Lasnik  
United States District Judge